

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

LINDA TUCKER MOIR, Administrator of the Estate of Yuvna Dutta,	)	CASE NO. 1:02 CV 1395
	)	
Plaintiff,	)	
	)	<u>ORDER ADOPTING REPORT AND</u>
-vs-	)	<u>RECOMMENDATION OF DAMAGES</u>
	)	<u>AWARD FOR DEFAULTED</u>
MICHAEL J. PHILLIPS, et al.,	)	<u>DEFENDANTS PURSUANT TO FED.</u>
	)	<u>R. CIV. P. 55(b)(2)</u>
Defendants.	)	

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UNITED STATES DISTRICT COURT JUDGE LESLEY WELLS

The above-styled matter was referred to Magistrate Judge David S. Perelman on 6 June 2005, pursuant to 28 U.S.C. § 636 (b)(1)(B), in response to Linda Tucker Moir's ("Moir") 28 April 2005 request for a determination of damages against the two remaining defendants Hammad Ahmed ("Ahmed") and Mohammad U. Jameel ("Jameel").<sup>1</sup> (Docket No. 76). Ms. Moir filed a Motion for Default Judgment against defendant Hammad Ahmed on 16 December 2002, and a Motion for Default Judgment against defendant Mohammad U. Jameel on 11 February 2003. (Docket Nos. 12, 16). The Court granted default judgment against Mr. Ahmed and Mr. Jameel on 30 September 2003. (Docket No. 44).

Magistrate Judge Perelman held an evidentiary hearing on 24 August 2005, in which the Court took testimony from Dr. David M. Stott, an economist, and from Mr. Suresh K. Dutta, the father of Yuvna Dutta, *via* telephone. (Docket No. 81). Based

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<sup>1</sup>Defendants Michael J. Phillips and American Meter Company, along with Linda Tucker Moir, filed a notice of voluntary dismissal with prejudice on 21 December 2004, which the Court granted at defendants' costs. (Dockets No. 73, 74).

upon the evidence presented, Magistrate Judge Perelman issued a Report and Recommendation ("R&R"), urging a damage award in the amount of \$3,100,000.00 in the default judgment against Mr. Ahmed and Mr. Jameel. That determination satisfies the requirements of Fed. R. Civ. P. 55(b)(2).

No party has objected to the Magistrate Judge's R&R. Therefore, it must be assumed that the parties are satisfied with its conclusions. Any further review by this Court would be a duplicative and inefficient use of the Court's limited resources. Thomas v. Arn, 474 U.S. 140 (1985); Howard v. Secretary of Health and Human Services, 932 F.2d 505 (6th Cir. 1991); United States v. Walters, 638 F.2d 947 (6th Cir. 1981).

Accordingly, Magistrate Judge Perelman's R&R is adopted and the Court awards damages to the plaintiff in the amount of \$3,100,000.00 against defendants Hammad Ahmed and Mohammad U. Jameel.

IT IS SO ORDERED.

/s/Lesley Wells  
UNITED STATES DISTRICT JUDGE

Dated: 27 October 2005